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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/993,362	11/16/2001	Nils O. Olsson	3993968-126973	1397

7590

09/24/2002

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EXAMINER

STERLING, AMY JO

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 09/24/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/993,362

Applicant(s)

OLSSON ET AL.

Examiner

Amy J. Sterling

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 16 November 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 16 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is the first Office Action for application number 09/993,362, Zero Looseness Fastener for Linkage Assembly, filed on 11/16/01, a Divisional of application 09/130,428, filed on 8/6/1998. Claims 1-20 are pending.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-20 are rejected under 35 U.S.C. 102(b) as being anticipated by United States Patent No. 5014958 to Harney.

The patent to Harney discloses a vehicle seat mounting assembly having at least one movable seat track (Col. 23, lines 25, 26), a linkage assembly having a first link (110) having a first external surface, a first internal surface, and a first aperture extending between the first external surface and the first internal surface, a second link (230) having a second external surface, a second internal surface, and a second aperture extending between the second external surface and the second internal surface, a fastener (220) having a head portion and a cylindrical body portion extending therefrom and terminating at a distal end opposite the head portion, and

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wherein the body portion extends through the first and second apertures and is plastically deformed so that the fastener secures the first and second members to allow relative rotational movement between the first and second members while preventing relative linear motion therebetween (See Col. 6, lines 47-54) and wherein the linkage assembly is operably connected to the seat track to move the seat track. Harney also discloses that the first link (110) has a first thickness, the second link (230) has a second thickness, and the body portion, with a central bore has an internal diameter, wherein the central bore extends for a length less than the total length of the body portion of the fastener (220) and has a length that is greater than the sum of the first thickness and the second thickness such that when the internal face of the first link is placed against the internal face of the second link and the body portion is inserted through the first and second links, a segment of the body portion extends beyond the links, wherein the distal end of the body portion forms a lip engaging an external surface of the second link. Harney shows wherein the central bore is open at the end of the body portion opposite the head portion and is closed toward the body portion. Harney also discloses that the second link is locked to the fastener via the lip to prevent relative rotational movement between the second link and the fastener while allowing the first link to move freely relative to the first link and the fastener. The examiner takes Official Notice that all of the above limitations pertaining to the fastener corresponds directly to the workings of a typical rivet.

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Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

5863098 to Kojima discloses a seat adjusting device with rivet

5806824 to Isomura discloses a seat adjuster with sliding track

5882061 to Guillouet discloses a seat adjusting device with rivet

5782533 to Fischer discloses a seat adjusting device with rivet

5626395 to Aufrere discloses a vehicle seat with height adjustment

5573219 to Chinomi discloses a vehicle set adjustment with sliding track

5374022 to Gilmer discloses a seat adjuster with linkage

5337995 to Satoh discloses a seat adjuster with sliding track

5075909 to Arft discloses a linkage with rivet

Any inquiry concerning this communication should be directed to Amy J. Sterling at telephone number 703-308-3271. The examiner can normally be reached (M-F 8 a.m.-5:00 p.m.). If attempts to reach the examiner are unsuccessful, the examiner's supervisor, Leslie Braun can be reached at 703-308-2156. The fax machine number for the Technology center is 703-305-3597 or 703-305-3598 (formal amendments) or 703-308-3519 (informal amendments/communications).

Any inquiry of a general nature or relating to the status of this application should be directed to the Technology Center receptionist at 703-308-2168.


AJS

Amy J. Sterling
9/18/02


ANITA KING
PRIMARY EXAMINER